

**SUPPLEMENTAL  
COMBINED DECLARATION, POWER OF ATTORNEY AND  
VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

As a below-named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name; and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, entitled:

**PROTOCOL FOR IMPROVING VISION**

the specification of which:

[ ] is attached hereto

[ X ] was filed on April 8, 2004

[ X ] and was amended on January 7, 2008.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability of this application as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Appl. or PCT Parent No.	Parent Filing Date	Parent Patent No.
<u>10/798,117</u>	<u>March 11, 2004</u>	

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional applications listed below:

Application Ser. No.	Filing Date
<u>60/461,534</u>	<u>April 7, 2004</u>
<u>60/482,574</u>	<u>March 9, 2003</u>
	<u>June 24, 2003</u>

I hereby appoint **Arnold S. Weintraub**, Patent Office Registration No. 25523, **Charles Dennis Lacina**, Patent Office Registration No. 28094, and **David L. Oppenhuizen**, Patent Office Registration No. 57562, as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Send all correspondence to:

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I hereby claim small entity status under 37 CFR 1.27 for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above-entitled invention as described in the specification. I have not assigned, granted, conveyed, or licensed, nor am I under any obligation, under contract or law to assign, grant, convey or license any rights in the invention to any person or entity who would not also qualify for small entity status either as a person, small business concern, or entity who would not also qualify for small entity status either as a person, small business concern, or nonprofit organization under 37 CFR 1.27. Each person, concern or organization to which I have assigned, granted, conveyed or licensed, or to which I am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern or organization  
☐ persons, concerns, or organizations listed below

I acknowledge the duty to file in this application notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor John P. Mullally

Inventor's Signature

John P. Mullally

Date:

8-14-08

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